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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/457,208	12/07/1999	MARUTHI BHASKAR	CISCP127	7417
22434	7590	10/17/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			SHAH, CHIRAG G	
			ART UNIT	PAPER NUMBER
			2664	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

09/457,208

Examiner

Chirag G. Shah

Applicant(s)

BHASKAR, MARUTHI

Art Unit

2664

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/5/05.
2. ☒ The allowed claim(s) is/are 1-47.
3. ☒ The drawings filed on 07 December 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.  |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Desmond Gene on 10/05/05.

The application has been amended as follows:

Claim 1, line 11, after the word, "basis", ", wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class." has been inserted.

Claim 11, line 13, after the word, "basis", ", wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class." has been inserted.

Claim 21, line 13, after the word, "basis", ", wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class." has been inserted.

Claim 22, line 8, after the word, “tickets”, “, wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class.” has been inserted.

Claim 27, line 11, after the word, “tickets”, “, wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class.” has been inserted.

Claim 28, line 9, after the word, “tickets”, “, wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class.” has been inserted.

Claim 46, line 11, after the word, “basis”, “, wherein the resources are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating the resource remainder to the streams of each class based on the calculated total controlled resource allocation for each class.” has been inserted.

### **Reasons For Allowance**

2. The following is an examiner’s statement of reasons for allowance: Prior Art fails to disclose wherein the one or more tickets are configured to allow dynamic resource allocation between service classes on a per stream basis, wherein the resource are allocated by: calculating a total controlled resource allocation per class; calculating a resource remainder; and allocating

Art Unit: 2664

the resource remainder to the streams of each class based on the calculated total controlled resources allocation for each class in combination with other limitations set forth in the respective claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cgs  
October 6, 2005

  
**Ajit Patel**  
**Primary Examiner**